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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 JESSICA FETTERS,

11 Plaintiff,

12 v.

13 Michael J. Astrue, Commissioner of the
14 Social Security Administration

15 Defendant.

CASE NO. 11-cv-05677-BHS-JRC

REPORT AND RECOMMENDATION
ON STIPULATED MOTION FOR
REMAND

16 This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to 28
17 U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by Mathews,
18 Secretary of H.E.W. v. Weber, 423 U.S. 261 (1976). This matter is before the Court on
19 Defendant's stipulated motion to remand the matter to the Commissioner for further
20 consideration. (ECF No. 19.)

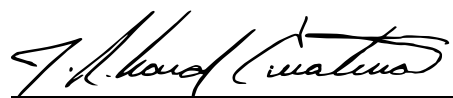
21 Based on the stipulation of the parties and the relevant record, this Court recommends
22 that this case be reversed and remanded to the Commissioner for further administrative
23 proceedings pursuant to sentence four of 42 U.S.C. § 405(g).
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1 On remand, the Administrative Law Judge (the "ALJ") should hold a *de novo* hearing
2 and Plaintiff may raise any issue. The ALJ should: (1) update the medical record with existing
3 evidence from treating sources, including medical source statements; (2) reevaluate medical
4 source opinions of record, particularly the opinions of Todd D. Bowerly, Ph.D.; Jamie Carter,
5 Ph.D.; Cynthia Collingwood, Ph.D.; Colin Joseph, Ph.D.; George Mecouch, D.O.; Lawrence H.
6 Moore, Ph.D.; and Leslie Postovit, Ph.D.; (3) obtain testimony from a medical expert
7 specializing in psychiatry, to clarify the nature and severity of the claimant's mental
8 impairments; (4) reevaluate the severity of the claimant's mental impairments pursuant to 20
9 C.F.R. §§ 416.920, 404.1520a; (5) further evaluate lay witness statements pursuant to SSR 06-
10 3p; (6) reevaluate the claimant's credibility and residual functional capacity; and (7) continue the
11 sequential evaluation process, obtaining supplemental vocational expert testimony if warranted
12 by the expanded record.

13 Following proper presentation, the Court should consider Plaintiff's application for costs
14 and attorney's fees under 28 U.S.C. § 2412(d) and 42 U.S.C. § 406(b). This Court further
15 recommends that the ALJ take any other actions necessary to develop the record. In addition,
16 Plaintiff should be allowed to submit additional evidence and arguments to the ALJ on remand.

17 Given the facts and the parties' stipulation, the Court recommends that the District Judge
18 immediately approve this Report and Recommendation and order the case be **REVERSED** and
19 **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

20 Dated this 13th day of March, 2012.

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24 J. Richard Creatura
United States Magistrate Judge